GOVERNMENT OF ANDHRA PRADESH

A B S T R A C T

Public Services – Agriculture & Cooperation Department – Disciplinary Matters – Irregularities in distribution of fertilizers through RBKs at Nizampatnam Mandal, Repalle Sub-division – Prima facie established - Disciplinary action against Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture ®, Markapur, under A.P. Civil Services (CC&A) Rules, 1991 - Articles of Charge - Issued.

AGRICULTURE AND CO-OPERATION (VIG.I) DEPARTMENT

G.O.RT.No. 568 **Dated: 04-09-2024**

Read the following:

1. From the Special Commissioner of Agriculture, A.P., Guntur, Letter No.Vig.II(2) AGC01-32027(32)/21/2021, dt.12.06.2022.
2. Govt. Memo.No.AGC01-AGRI/162/2022, A&C (Vig.I) Dept., dt.04.07.2022.
3. Govt. Memo. No. AGC01-AGRI/60/2023-VIG-I (1), dt.17.02.2023 & 07.06.2023. (Consolidated reminder).
4. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)/21/2021, dt.29.06.2023.
5. Govt. Memo.No.AGC01-AGRI/162/2022, A&C(Vig.I) Dept., dt.07.07.2023.
6. From the Special Commissioner of Agriculture, A.P., Guntur, Lr.No.AGC01-32027(32)/21/2021, dt.10.04.2024.
7. G.O.Rt.No.327, A&C(Vig.I) Dept.,, dt.25.04.2024.
8. Govt. Memo.No.AGC01-AGRI/162/2022, A&C(Vig.I) Dept., dt.25.04.2024.
9. From the Director of Agriculture, A.P., Guntur, Lr.No.AGC02-32027(32)21/2021, dt.31.07.2024.

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It is proposed to hold an enquiry against Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture®, Markapur, with regard to irregularities in distribution of fertilizers through RBKs at Nizampatnam Mandal, Repalle Sub-division, in accordance with the procedure laid down in Rule 20 of the A.P. Civil Services (CC&A) Rules, 1991.

2. The substance of the imputations of misconduct or misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I), Statement of imputation of misconduct or misbehavior on which action is proposed to be taken against him as Annexure-II, a list of documents by which and a list of witnesses by whom the Article of Charge is proposed to be sustained are also enclosed as Annexure-III and IV.

3. Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture ®, Markapur, is directed to submit a Written Statement of Defense (WSD) within (10) days of the receipt of this order.

4. Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture®, Markapur, is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. He should therefore, specifically admit or deny each Articles of Charge.

5. Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture®, Markapur, is further informed that if he does not submit his Written Statement of Defense (WSD) on or before the date specified in para-3 above, or otherwise fails or refuses to comply with the provisions of Rule 20 of A.P.Civil Services (CC&A) Rules, 1991 or the orders/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him exparte.

(P.T.O.)

6. Attention of Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture ®, Markapur, is invited to rule 24 of the A.P. Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the A. P. Civil Service (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

B. RAJSEKHAR
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To:
Sri M. Chandra Sekhar, the then Mandal Agriculture Officer, Nizampatnam and presently working as Agricultural Officer (T), O/o Assistant Director of Agriculture ®, Markapur.
(through the Director of Agriculture, A.P., Guntur)

Copy to:
The Director of Agriculture, A.P., Guntur,
(With a request to serve the original G.O. on the Charged Officer and obtain his dated acknowledgement on the Xerox copy and furnish the same along with his Written Statement of Defense (WSD) to the Government)
Sf/Sc.

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd. Annexures...)

ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI M. CHANDRA SEKHAR, THE THEN MANDAL AGRICULTURE OFFICER, NIZAMPATNAM AND PRESENTLY WORKING AS AGRICULTURAL OFFICER (T), O/O ASSISTANT DIRECTOR OF AGRICULTURE ®, MARKAPUR:

Articles of Charge:

"that the said Sri M.Chandra Sekhar, while working as Mandal Agriculture Officer, Nizampatnam, has failed to indent the fertilizer stocks supplying through the RBKs in the Mandal and also to sale fertilizers to the farmers under the RBK jurisdiction. He has also failed in positioning of fertilizers in RBK godowns and allowed to place the fertilizers in private dealers' godowns and to sell the fertilizers by the private dealers.

The above said deviations have occurred due to his slackness in monitoring the activities of the RBKs through the concerned Staff and thereby defeated the spirit of RBKs to deliver the fertilizers to the door steps of the farmers.

Thus, the above said slackness and supervisory lapses show his 'misconduct', thereby violating rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(P.T.O.)

ANNEXURE-II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. CHANDRA SEKHAR, THE THEN MANDAL AGRICULTURE OFFICER, NIZAMPATNAM AND PRESENTLY WORKING AS AGRICULTURAL OFFICER (T), O/O ASSISTANT DIRECTOR OF AGRICULTURE ®, MARKAPUR:

Basis of Charge:

Sri Mopidevi Venkata Ramana, M.P. (RS) and the Sarpanch of Dindi Village of Nizampatnam Mandal have complained against the Mandal Agriculture Officer, Nizampatnam, with regard to alleged storage, diversion and sale of fertilizers made through private dealers in Nizampatnam Mandal which are allotted to RBKs.

The Special Commissioner of Agriculture, A.P., Guntur has observed that Sri M.Chandra Sekhar, Mandal Agriculture Officer, Nizampatnam, being the overall in charge and Monitoring Officer for all the matters connected to RBKs & Hub functioning/operations in the jurisdiction and being the Fertilizer Inspector under Clause 27 of FCO, 1985, was unable to implement proper plan to position the fertilizers based on the crop coverage.

Further, the above said deviations have occurred due to slackness of Sri M.Chandra Sekhar, Mandal Agriculture Officer, Nizampatnam, for poor monitoring of the activities of RBKs. Through the concerned staff and thereby defeated the spirit of RBKs to deliver the fertilizers to the door steps of the farmers.

Thus, the above lapses and slackness show the 'misconduct' of Sri M. Chandra Sekhar, Mandal Agriculture Officer, Nizampatnam, thereby violating rule 3 of A.P.Civil Services (Conduct) Rules, 1964. Hence, the Charge.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

(Contd.p.3)

ANNEXURE-III

LIST OF DOCUMENTS BY WHICH ARTICLES OF CHARGE FRAMED AGAINST SRI M.CHANDRA SEKHAR, THE THEN MANDAL AGRICULTURE OFFICER, NIZAMPATNAM AND PRESENTLY WORKING AS AGRICULTURAL OFFICER (T), O/O ASSISTANT DIRECTOR OF AGRICULTURE ®, MARKAPUR PROPOSED TO BE SUSTAINED:

1. Lr. No.413/2021/MP(RS) -RPL, dated 17-09-2021 of Sri Mopidevi Venkata Ramana, Hon'ble Member of Parliament, Rajya Sabha.
2. Lr. dated 21-09-2021 of the Sarpanch, Dindi village, Nizampatnam Mandal.
3. Enquiry report of the Inquiry officer and DDA (FTC), Bapatla dated: 27-10- 2021.
4. Lr.No.Estt/ATMA/Inq.6/2023, dt.24.08.2023 & 21.12.2023 of Director ATMA, Mangalagiri.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESS BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. CHANDRA SEKHAR, THE THEN MANDAL AGRICULTURE OFFICER, NIZAMPATNAM AND PRESENTLY WORKING AS AGRICULTURAL OFFICER (T), O/O ASSISTANT DIRECTOR OF AGRICULTURE ®, MARKAPUR, PROPOSED TO BE SUSTAINED:

1. Village Agriculture Assistants of Nizampatnam Mandal.
2. Staff working in O/o Asst. Director of Agriculture (R), Repalle Sub Division.

Sd/- B. Rajsekhar
SPECIAL CHIEF SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER//

SECTION OFFICER